

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SNAP-ON BUSINESS SOLUTIONS, INC.)	
)	CASE NO. 5:09-CV-01547-JG
Plaintiff,)	
)	JUDGE JAMES S. GWIN
v.)	
)	<u>NOTICE OF PLAINTIFF THAT IT</u>
O'NEIL & ASSOCIATES, INC.)	<u>DOES NOT OPPOSE DEFENDANT'S</u>
)	<u>MOTION IN LIMINE REGARDING</u>
Defendant.)	<u>THE EXPERT TESTIMONY OF GREG</u>
)	<u>FEEZEL</u>

Plaintiff Snap-on Business Solutions, Inc. hereby gives notice to the Court and Defendant O'Neil & Associates, Inc. that it does not oppose O'Neil's *Motion In Limine To Preclude Gregory Feezel From Expressing Expert Opinions At Trial* [Doc. 98]. So long as Mr. Feezel is permitted to testify as a fact witness at trial, Snap-on will agree to not refer to Mr. Feezel as an expert witness or to elicit improper expert opinions. Snap-on reserves the right to elicit proper lay opinion testimony from Mr. Feezel based on his personal knowledge of the facts of this case and the "particularized knowledge relating to his job" as acknowledged by O'Neil. [Doc. 98 at p. 3.]

Respectfully submitted,

HAHN LOESER & PARKS LLP

By: /s/ R. Eric Gaum
R. Eric Gaum (Ohio Reg. No. 66,573)
Amanda H. Wilcox (Ohio Reg. No. 73,832)
200 Public Square, Suite 2800
Cleveland, Ohio 44114
216-621-0150 (phone)
330-864-7986 (fax)
regaum@hahnlaw.com (e-mail)
awilcox@hahnlaw.com (e-mail)

and

Phillip G. Eckenrode (Ohio Reg. No. 84,187)
65 East State Street, Suite 1400
Columbus, Ohio 43215
614-233-5147 (phone)
614-233-5194 (fax)
peckenrode@hahnlaw.com (e-mail)

*Counsel for Plaintiff Snap-on Business
Solutions, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 15th day of May, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following counsel by operation of the Court's electronic filing system.

Alan B. Parker
REMINER CO., L.P.A.
1400 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115
aparker@reminger.com

Matthew L. Schrader
REMINER CO., L.P.A.
65 East State Street, 4th Floor
Capitol Square
Columbus, Ohio 43215
mschrader@reminger.com

*Counsel for Defendant
O'Neil & Associates, Inc.*

/s/ R. Eric Gaum
One of the Attorneys for Plaintiff
Snap-on Business Solutions, Inc.